

The Westfield Washington Township Board of Zoning Appeals met at 7:00 p.m. on Tuesday, March 8, 2016, at Westfield City Hall. Members present included Ken Kingshill, Martin Raines, Bill Sanders, Dave Schmitz, and Robert Smith. Also present were Jesse Pohlman, Senior Planner; Amanda Rubadue, Associate Planner; Pam Howard, Associate Planner and Brian Zaiger, City Attorney.

ELECTION OF OFFICERS

Schmitz motioned to nominate Robert Smith as Chairperson and Kingshill seconded. Upon a call to vote by the Chair, the motion passed with a vote of 5-0.

Kingshill motioned to nominate Dave Schmitz for Vice-Chairperson and Raines seconded. Upon a call to vote by the Chair, the motion passed 5-0.

Raines motioned to nominate Ken Kingshill as Pro-Tempore and Sanders seconded. Upon a call to vote by the Chair, the motion passed 5-0.

APPROVAL OF MINUTES

Raines moved to approve the February 9, 2016, meeting minutes.

Sanders seconded, and the motion passed 5-0.

Pohlman reviewed the Public Hearing Rules and Procedures.

ITEMS OF BUSINESS

1601-VU-03

[PUBLIC HEARING]

16708 Dean Road

Bob's Garage

The petitioner is requesting a Variance of Use to allow an auto repair business within the US Highway 31 Overlay (Article 5.2(L)) and the Enclosed Industrial (EI) District (Article 4.24 (B)).

Rubadue presented an overview of the requested variance, as summarized in the department report.

Robert Esler, petitioner, gave a brief presentation.

Public Hearing opened at 7:10 p.m.

No public comments.

Public Hearing closed at 7:11 p.m.

Discussion by the Board regarding an appropriate condition for a time limitation.

Raines motioned to approve the Variance of Use with the condition that approval of the Variance of Use shall expire on December 31, 2019.

Sanders seconded and the motion passed 5-0.

Schmitz moved to adopt the Department's recommended findings of fact for approval.

Kingshill seconded and the Motion passed 5-0.

1603-VU-02

235 Cherry Street

[PUBLIC HEARING]

North Ridge Holdings, LLC by North Ridge Construction

The petitioner is requesting a Variance of Development Standard to reduce the Minimum Front Yard Building Setback Line in the SF3: Single-Family Medium Density District (Article 4.6(E)(1)).

Pohlman presented an overview of the requested variance, as summarized in the department report.

Sam Milligan, petitioner, introduced himself and gave a brief presentation.

Public Hearing opened at 7:25 p.m.

Randy Hicks, 217 North Street; Concerned about the setback and how close the proposed home would be to his existing home. Also concerned about potential conflict of preliminary survey stakes on the shared property line.

Public Hearing closed at 7:30 p.m.

Milligan explained that he believed his surveyor's initial stakes were incorrect and that it will be corrected.

Discussion by Board confirming variance request was specific to Cherry Street frontage and not west lot line and that proposed home would otherwise comply with the other setback requirements of the applicable zoning district.

Schmitz motioned to approve the Variance of Development Standard.

Kingshill seconded and the motion passed 5-0.

Schmitz moved to adopt the Department's recommended findings of fact.

Kingshill seconded and the Motion passed 5-0.

1603-VU-03

[PUBLIC HEARING]

17319 Joliet Road

Renee Beckner

The petitioner is requesting a Variance of Development Standard to reduce the Minimum Lot Frontage in the AG-SF1: Agriculture/Single-Family Rural District (Article 4.23(D)).

Howard presented an overview of the requested variance, as summarized in the department report.

Renee Beckner, petitioner, introduced herself and made herself available for any questions.

Public Hearing opened at 7:37 p.m.

No public comments.

Public Hearing closed at 7:38 p.m.

Schmitz motioned to approve the Variance of Development Standard with the condition that a twenty-five (25) foot wide access easement is included on the secondary plat subdividing the property.

Raines seconded and the motion passed 5-0.

Schmitz moved to adopt the Department's recommended findings of fact for approval.

Raines seconded and the Motion passed 5-0.

1603-VS-04

[PUBLIC HEARING]

2714 East 146th Street

The National Bank of Indianapolis by Faegre Bakers Daniels, LLP

The petitioner is requesting a Variance of Development Standard to allow a Monument Sign to be permitted for an Outlot (Article 6.17(J)(8)(b)).

Pohlman presented a request on behalf of the petitioner for the Board to waive the Rules of Procedure regarding mailed public notice by certified mail. Pohlman explained the mailed public notice complied with the applicable laws and Board's Rules of Procedure with the exception it was mailed first class without a return receipt requested.

Schmitz motioned to suspend the Board's Rules of Procedures and accept the public notice as mailed.

Kingshill seconded and the Motion passed 5-0.

Howard presented an overview of the requested variance, as summarized in the department report.

Andy Buroker, Faegre, Baker Daniels LLC, petitioner, gave a brief presentation on the requested sign variance.

Barry Grinder, petitioner, briefly described circulation and their visibility objectives.

Public Hearing opened at 7:55 p.m.

No public comments.

Public Hearing closed at 7:56 p.m.

Raines motioned to approve the Variance of Development Standard with the condition that unless otherwise agreed to by the City, a written commitment with the City and owner of the adjacent Outlot that outlines the use, costs, and maintenance of the sign, as approved by the Director, be in place prior to the issuance of a sign permit.

Schmitz seconded and the motion passed 5-0.

Schmitz moved to adopt the Department's recommended findings of fact for approval.

Sanders seconded and the Motion passed 5-0.

REPORTS/COMMENTS

Plan Commission Liaison report by Schmitz.

Economic and Community Development Department, no report.

Kingshill motioned to adjourn the meeting.

Sanders seconded, and the motion passed.

The meeting adjourned at 7:56 p.m.

Chairperson
Robert Smith, Esq.

Secretary
Matthew S. Skelton, Esq., AICP
Director